



**IT IS ORDERED as set forth below:**

**Date: January 22, 2020**

**Barbara Ellis-Monro  
U.S. Bankruptcy Court Judge**

---

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

IN RE:

ASPEN VILLAGE AT LOST MOUNTAIN  
ASSISTED LIVING, LLC,

Debtor.

CASE NO. 19-40262-BEM

CHAPTER 11

**ORDER DIRECTING THE UNITED STATES TRUSTEE  
TO APPOINT A PATIENT CARE OMBUDSMAN**

On February 5, 2019, Debtor filed the above-captioned case. Because Debtor appeared to qualify as a health care business as defined in 11 U.S.C. § 101(27A), although it did not identify itself as such, the Court held a hearing on the appointment of a patient care ombudsman on March 1, 2019 pursuant to 11 U.S.C. § 333(a)(1) and Federal Rule of Bankruptcy Procedure 2007.2. The Court found that the appointment of a patient care ombudsman was not necessary for the protection of patients under the specific facts of the case and declined to appoint one in its Order of March 1, 2019. [Doc. 53]. The March 1, 2019 Order provided that it was without prejudice as to the Court later appointing a patient care ombudsman

pursuant to Federal Rule of Bankruptcy Procedure 2007.2(b) or as to any party in interest raising the issue of the appointment of a patient care ombudsman at a later date. Pursuant to the March 1, 2019 Order, on December 3, 2019, the United States Trustee filed a motion for appointment of a patient care ombudsman (the “Motion”) [Doc. 161]. The Motion came before the Court for hearing on January 21, 2020.

No objections to the relief requested in the Motion were heard. Debtor appeared through its counsel, Leslie Pinyero and Leon Jones and the United States Trustee appeared through its counsel, Vanessa Leo. Pursuant to the Court’s Order of March 1, 2019, and hearing no opposition, the Court finds that appointment of a patient care ombudsman is necessary pursuant to 11 U.S.C. § 333 and Federal Rule of Bankruptcy Procedure 2007.2. Accordingly, it is

ORDERED that the Motion [Doc. 161] is GRANTED and the United States Trustee is directed to appoint a Patient Care Ombudsman.

**END OF ORDER**

**Distribution List**

Vanessa A. Leo  
Office of the United States Trustee  
362 Richard B. Russell Building  
75 Ted Turner Drive SW  
Atlanta, GA 30303

Aspen Village At Lost Mountain Assisted  
Living, LLC  
2860 Overlook Court  
Atlanta, GA 30324

Leon S. Jones  
Jones & Walden, LLC  
21 Eighth Street, NE  
Atlanta, GA 30309

Leslie M. Pineyro  
Jones and Walden, LLC  
21 Eighth Street, NE  
Atlanta, GA 30309

ALL CREDITORS AND PARTIES